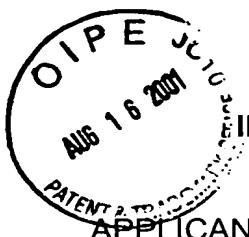


4700

Sector 44  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Ralf HAFERBECK et al. DOCKET NO: P00,1277

SERIAL NO: 09/826,357 GROUP NO: Unknown

DATE originally FILED: June 14, 2000 EXAMINER: Unknown

## INVENTION: ATM SWITCHING EQUIPMENT HAVING A SWITCHING NETWORK

Assistant Commissioner for Patents,  
Washington, D.C. 20231RECEIVED  
AUG 29 2001

OFFICE OF PETITIONS

**SUBMITTAL OF EXECUTED DECLARATION with  
NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION  
filed under 37 CFR 1.53(b)**

Sir:

Applicant herewith submits an executed Declaration to complete the requirements of filing an application in the U.S. Patent Office. This application has received a **NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION filed under 37 CFR 1.53(b)**. This application was originally filed on **June 14, 2000** and was given the U.S. Serial No. **09/826,357**. A check for the statutory fee in the amount of **\$130.00** is submitted herewith.

Applicants have attached a copy of the Petition to Consider Correspondence filed which clearly indicates that 2 pages of drawings, including Figures 1-3 were, in fact, filed with the originally filed application. Applicants respectfully request that these drawings be accorded the filing date indicated in the event of a favorable response to the petition. A check in the amount of **\$20.00** is enclosed to complete

the basic filing fee.

Respectfully submitted,

*Mark Bergner* (Reg. No. 45,877)

Mark Bergner  
SCHIFF HARDIN & WAITE  
PATENT DEPARTMENT  
6600 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606-6473  
(312) 258-5779  
Attorneys for Applicant  
**CUSTOMER NUMBER 26574**

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on AUGUST 13, 2001

*Mark Bergner*

Attorney for Applicant

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HON. COMMISSIONER OF PATENTS & TRADEMARKS  
WASHINGTON, D.C. 20231

SIR:

PLEASE APPLY A RECEIPT STAMP HERETO AND MAIL TO  
ACKNOWLEDGE RECEIPT OF THE ATTACHED:

Ralf Haferbeck et al  
\_\_\_\_\_  
APPLICANT

Petition to Consider Correspondence filed in the U.S. PTO under  
37 CFR 1.10 or in the alterna-

TYPE OF DOCUMENT(S)  
tive, under 37 CFR 1.183 (in dupl.  
check \$130.00. (copies of every-  
thing previously sent)

May 11, 2001  
\_\_\_\_\_  
MAILING DATE  
M Bergner

REFERENCE NUMBER  
P00,1277

SCHIFF HARDIN & WAITE

SCHIFF HARDIN & WAITE

Check Date: 05/11/01

2502

| INVOICE DATE | DESCRIPTION  | INVOICE NUMBER | AMOUNT |
|--------------|--|----------------|--------|
| 05/11/01     | OMMISSIONER OF PATENTS AND<br>TR- PETITION TO THE<br>COMMISSIONER TO CONSIDER<br>CORRESPONDENCE FILED-<br>P00.1277- MB | 05/11/2001H    | 130.00 |
| Total        |  |                | 130.00 |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX DAC

PETITION TO CONSIDER CORRESPONDENCE FILED IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE UNDER 37 CFR 1.10  
OR IN THE ALTERNATIVE  
UNDER 37 CFR 1.183

APPLICANT: Ralf HAVERBECK et al. DOCKET NO: P00,1277  
SERIAL NO.:  
FILED:  
TITLE: ATM SWITCHING EQUIPMENT HAVING A SWITCHING NETWORK

Commissioner of Patents and Trademarks,  
Washington, D.C. 20231

Dear Sir:

Applicants file this petition pursuant to 37 CFR 1.10(e) or, in the alternative, under 37 CFR 1.183.

Statement of Facts

The above-identified (and attached) utility patent application was originally filed with the United States Patent and Trademark Office on June 14, 2000 as evidenced by the attached copy of the Express Mail Label Number EL568799959US, and as further evidenced by the attached copy of the United States Postal Service Tracking Confirmation showing delivery on June 15, 2000.

After the associated postcard had not been returned in a reasonable time, Applicants contacted the OIPE for a status inquiry—the OIPE stated that Applicants should resubmit all papers, including evidence that the application had been properly mailed on the date alleged using Express Mail.

Applicants complied and resubmitted all documents on November 28, 2000. These papers were also lost. A third (hand) delivery of these documents resulted in a successful receipt of a serial number and a filing date. However, the filing date accorded the application was the date of the third submission, April 5, 2001.

Applicants submit with this petition:

1. A copy of the Express Mail mailing label used to submit the original application;
2. The originally deposited papers that constitute the correspondence showing the Express Mail number on them;
3. A USPS tracking confirmation showing a pick-up on June 14, 2000, and delivery on June 15, 2000; and

4. The petition fee indicated under 1.17(h) required by 37 CFR 1.183.

The original deposit of the correspondence and the copies of the correspondence contained herein are identical. The copy of the Express Mail mailing label and the official notation entered by the USPS are true copies.

Applicants note that this petition was not filed immediately after an awareness that the Office had no evidence of receipt of the correspondence due to the instructions given by the OIPE during the status check of the pending application. Applicants thus petition in the alternative under 37 CFR 1.183, and include the petition fee set forth in 1.17(h). Applicants request, however, that this fee be refunded as the error in losing the submitted documents lies with the U.S. Patent and Trademark Office.

APPLICANT HEREBY PETITIONS THAT:

- 1) THE APPLICATION SUBMITTED WITH THIS PETITION BE CONSIDERED AS FILED IN THE OFFICE ON THE USPS DEPOSIT DATE OF JUNE 14, 2000, OR IN THE ALTERNATIVE;
- 2) THE FILING DATE OF THE PRESENT APPLICATION ON FILE, WHICH IS IDENTICAL TO THE APPLICATION SUBMITTED WITH THIS PETITION, BE CHANGED TO JUNE 14, 2000.

Applicants believe that all requirements have been met with this petition, and respectfully request that the petition be granted.

It is believed that the included fee is adequate for this petition; however, if the Commissioner finds that an additional fee is due, the Commissioner is authorized to charge any such fees to account no. 50-1519.

Respectfully submitted,

Mark Bergner (Reg. No. 45,877)  
Mark Bergner  
SCHIFF HARDIN & WAITE  
PATENT DEPARTMENT  
6600 Sears Tower  
Chicago, Illinois 60606-6473  
(312) 258-5779  
Attorney for Applicants  
Customer Number 26574

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on May 11, 2001

Mark Bergner

Attorney for Applicants

[Home](#)

# TRACK/CONFIRM

**delivery status****You entered EL568799959US**

Your item was delivered at 11:00 am on June 15 in WASHINGTON DC 20231.

**Here is what happened earlier:**

- June 15 9:43 am ARRIVAL AT UNIT 20096
- June 14 7:15 pm ENROUTE CHICAGO IL 60607
- June 14 4:12 pm ACCEPT OR PICKUP CHICAGO IL 60606

Enter the number from your shipping receipt into the field below.

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You can track delivery of Express Mail and Global Express Guaranteed and confirm delivery for domestic Priority Mail and Parcel Post.

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Express Mail # EL 843728478 US dated April 4, 2001

HON. COMMISSIONER OF PATENTS & TRADEMARKS  
WASHINGTON, D.C. 20231  
POO, 1277

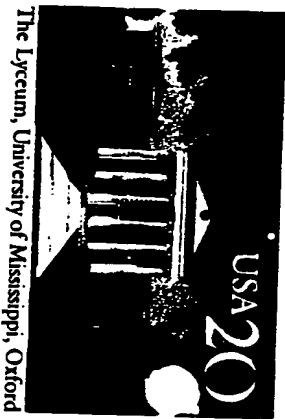
SIR:

PLEASE APPLY A RECEIPT STAMP HERETO AND MAIL TO  
ACKNOWLEDGE RECEIPT OF THE ATTACHED:

copy of 1st sub. of duplicate filing;  
Appt.of assoc.pwr.of Attorney; change  
Ralf Haferbeck et al of address; Ex. Mail Tracking & Delivery  
confirmation of DOCUMENT(S) EX. Mail form  
APPLICANT  
dated 06/14/00; form for filing under  
Attorney's sig.: copy of spec. & drawing;  
Cert.of mailing dated 06/14/00; UNSGNEED  
MAILING DATE ~~copy of spec. & drawing~~ check receipt;  
Utility Patent App. transmittal form;  
SCHIFFHARDT & WALTER Submission of dupl.  
M. Bergner

J1033 U.S. PTO  
09/826357  
06/14/00

04/08/01  
J1033 U.S. PTO  
09/826357



The Lyceum, University of Mississippi, Oxford

Patent Prosecution Manager  
SCHIFF HARDIN & WAITE  
6600 SEARS TOWER  
CHICAGO, ILLINOIS 60606

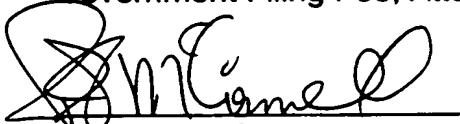
CERTIFICATE OF MAILING BY "EXPRESS MAIL"

COPY

"Express Mail" Mailing Label Number **EL 568799959US**  
Date of Deposit: June 14, 2000

I hereby certify that the following is being deposited with the United States Postal "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Proposed Patent Application for RALF HAFTERBECK and STEFAN SCHNEEBERGER entitled "ATM SWITCHING EQUIPMENT HAVING A SWITCHING NETWORK", consisting of specification, claims, 2 sheets of informal drawings, and Government Filing Fee, Attorney Docket No. P00,1277



Signature of person  
mailing application

RECEIVED

AUG 29 2001

OFFICE OF PETITIONS

---

Name of person mailing  
application

# HILL & SIMPSON

A PROFESSIONAL CORPORATION  
ATTORNEYS AND COUNSELORS AT LAW  
CHICAGO, ILLINOIS 60606-6592

JOHN D. SIMPSON\*  
JAMES A. MOEHLING  
DENNIS A. GROSS  
ROBERT M. BARRETT  
STEVEN H. NOLL  
KEVIN W. GUTHN  
SCOTT W. PETERSEN  
ROBERT M. WARD  
BRETT A. VALIQUET  
GEORGE C. SUMMERFIELD\*\*  
LEWIS T. STEADMAN, JR.  
EDWARD A. LEHMAN  
DAVID R. METZGER  
TODD S. PARKHURST  
JOHN R. NYWEIDE  
JAMES D. HOBART  
HELVIN A. ROBINSON  
C. GRANT MCCORKHILL  
JOSEPH P. REAGAN  
MICHAEL R. HULL  
MICHAEL S. LEONARD  
WILLIAM E. VAUGHAN

PATRICIA A. KANE  
BRYAN J. LEMPIA  
PATRICK B. LAW\*\*\*  
THOMAS C. BASSO  
MARK BERGNER  
LISA A. CARROLL  
  
LEWIS T. STEADMAN  
JAMES VAN SANTEN  
MARVIN MOODY  
J. ARTHUR GROSS  
OF COUNSEL  
  
DOLORES K. HANNA  
SPECIAL TRADEMARK COUNSEL  
  
CHRISTOPHER P. RAUCH  
REG. PAT. AGENT  
  
\*\*MICHIGAN BAR ONLY  
\*\*\*D.C. AND MISSOURI BARS

CHICAGO OFFICE  
85TH FLOOR SEARS TOWER  
CHICAGO, ILLINOIS 60606  
TELEPHONE (312) 876-0200  
FACSIMILE (312) 876-0898  
E-MAIL: counsel@hillfirm.com

WASHINGTON OFFICE  
SUITE 1004-BLDG. I  
2001 JEFFERSON DAVIS HIGHWAY  
CRYSTAL CITY  
ARLINGTON, VIRGINIA 22202  
TELEPHONE (703) 415-1515

\*MUNICH OFFICE  
FRANZ-JOSEPH STRASSE 38  
D-80801 MUNICH, GERMANY  
49-89-3840720

June 14, 2000

Hon. Assistant Commissioner for Patents  
Washington D.C. 20231

Re: Proposed Patent Application for RALF HAFTERBECK and STEFAN SCHNEEBERGER entitled "ATM SWITCHING EQUIPMENT HAVING A SWITCHING NETWORK", Attorney Docket No. P00,1277

SIR:

Under the provisions of 37 CFR § 1.41 (c), I am filing the attached application with 4 claims, 2 sheets of informal drawings and filing fee on behalf of RALF HAFTERBECK and STEFAN SCHNEEBERGER and request that the application papers be assigned a serial number and filing date.

I request that the application be assigned a Serial No. and Filing Date pursuant to the provisions of 37 C.F.R. § 1.53(b) and 37 C.F.R. § 1.53(f).

Respectfully submitted,



Steven H. Noll (Reg. No. 28,982)  
Attorney for Applicant